OFFICER INVOLVED SHOOTINGS:
AN OVERVIEW
Officer Involved Shootings

In Custody Deaths
- When someone dies in police custody

Non-Shootings
- Where force is used but the force is not a shooting
- Can be hands, batons, tasers, etc.
When A Shooting Occurs

- Agency notifies DA Intake and Captain Investigator in the Civil Rights Division
- Captain notifies the ADAs and Investigators on call.
  - 12 Attorneys and 5 Investigators are on call on a rotating basis.
  - Shootings can happen anytime, so attorneys and investigators are expected to always be ready to be called out.
    - We respond to EVERY officer involved shooting.
ON THE SCENE

- Multiple agencies and divisions are present on shooting scenes.
  - Internal Affairs Division
  - Special Investigations Unit
  - Police Union Attorneys
  - Forensic Science Center
  - HCDAO Investigators & ADAs

- All scenes are different.

- Agencies work together while working around each other.

- The police agency having jurisdiction where the shooting occurs is in charge of scene and responsible for investigation.
  - We lend support and provide legal advice for investigators.
  - We also document all relevant evidence.
Walkthrough is a unsworn, voluntary, verbal explanation from the shooting officer regarding what happened during the incident.

Union Attorney, Internal Affairs, Special Investigations Unit, ADAs, and DA Investigators are present.

Each shooting officer walks or points through the scene and provides a detailed description of their actions.

Body cameras, dash cameras, and all other available videos are collected by police agency.
Weapons Charting

- Weapons charting is the process used to document and photograph the shooting weapon(s) and account for each round used. Every firearm discharged is “charted.”
- The purpose is to check the number of rounds of ammunition fired and evaluate the consistency of the statements given by the officer.
After the Scene

- Contact Family/Next of Kin

- Police agency with jurisdiction where shooting occurred is in charge of shooting investigation on scene and afterward.
  - DAO waits for police agency to provide full investigation, including lab results and witness statements.
  - Can take months to complete

- HCDAO Investigators conduct an independent review/investigation, supplement if necessary, and Assistant District Attorneys present case to grand jury.
  - In some cases, outside agencies will aid in investigation and review.
Grand Jurors are randomly selected from the community.
- “Key Man” system has been replaced.

We present all the evidence and the relevant law.

Grand jurors decide which witnesses they will hear from.

Grand jurors make the ultimate decision whether shooting was justified.
- True bill is returned if not justified.
- No bill is returned if they believe it is justified.